

AMENDED IN ASSEMBLY MARCH 10, 2010

AMENDED IN ASSEMBLY MARCH 2, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1671

Introduced by Assembly Member Jeffries

January 20, 2010

An act to repeal and add Section 25060 of the Government Code, relating to county government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1671, as amended, Jeffries. County board of supervisors: vacancy: appointment.

Existing law requires the Governor to fill a vacancy on any county board of supervisors.

This bill would, instead, authorize a quorum of a board of supervisors, within 90 days from the date of the vacancy, to appoint an individual to fill the vacancy or to ~~hold~~ call a special election to fill the vacancy. If, within the 90-day period, the board does not appoint an individual to fill the vacancy or ~~vote to hold~~ call a special election to fill the vacancy, this bill would require the Governor to appoint an individual to fill the vacancy within 30 days *after the lapse of the 90-day period*. This bill would also authorize a *quorum of the* board of supervisors ~~that cannot agree on an appointee to fill the vacancy, prior to the lapse of the 90-day period~~, to vote to authorize the Governor to appoint a person to fill the vacancy ~~before the 90-day period lapses~~ *within 30 days of the board's authorizing vote*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25060 of the Government Code is
2 repealed.

3 SEC. 2. Section 25060 is added to the Government Code, to
4 read:

5 25060. (a) (1) If a vacancy occurs on any board of supervisors,
6 a quorum of the board may, within 90 days from the date of the
7 vacancy, appoint an individual to fill the vacancy or call a special
8 election to fill the vacancy.

9 (2) ~~The~~ *A quorum of the* board of supervisors may authorize the
10 Governor to appoint a person to fill the vacancy before the 90-day
11 period, as specified in paragraph (1), ~~lapses, if the board of~~
12 ~~supervisors agree on an appointee to fill the vacancy.~~ *lapses.*

13 (3) If a board of supervisors does not *act to* fill a vacancy
14 pursuant to paragraph (1) ~~or votes to authorize the Governor to~~
15 ~~appoint an individual to fill the vacancy pursuant to paragraph (2),~~
16 the Governor shall appoint an individual to fill the vacancy within
17 30 days *after the 90-day period lapses. If a board of supervisors*
18 *votes to authorize the Governor to appoint an individual to fill the*
19 *vacancy pursuant to paragraph (2), the Governor shall appoint*
20 *an individual within 30 days of the board's authorizing vote.*

21 (b) An appointee shall hold the office until the election and
22 qualification of his or her successor pursuant to Section 25061.